

Amendments to the Drawings:

A proposed set of drawing changes is submitted herewith for the Examiner's review and approval. As will be described in detail below, originally filed Fig. 8 has now been removed from this case. In the marked-up copies of Figs. 5-9, proposed changes are shown in red. A set of formal replacement copies is also attached for the Examiner's review. The attached sheets of drawings include changes to Figs. 5, 6 and 7. Originally filed Fig. 8 has been removed, and originally filed Figs. 9 and 10 have been correspondingly renamed Figs. 8 and 9.

Attachment: Replacement Sheets (5)
 Annotated Sheets Showing Changes (5)

REMARKS

By the present amendment, Applicant has amended Claims 8, 9, 12 and 13, and cancelled Claims 1-7, 10, 14 and 18-20. Claims 8, 9, 11-13 and 15-17 remain pending in the present application. Claims 8 and 12 are Independent Claims.

The Examiner has maintained the propriety of the election requirement of record and has made it FINAL. Accordingly, Claims 1-7, 10 and 14 are now withdrawn from further consideration pursuant to 37 CFR 1.142(b), as being drawn to a non-elected species. By the present amendment, Applicant proposes that the instant claims be canceled in order to expedite prosecution of the application. However, it should be noted that under the provisions of 35 U.S.C. §121 Applicant reserves the right to file a divisional application directed to the non-elected subject matter.

In the outstanding Office Action, the Examiner has objected to the Drawings under 37 CFR 1.83(a). Particularly, the Examiner objected to the claimed provision of the hardware being mounted to the vehicle floor, which was not shown in the originally filed Drawings. The Examiner further objected to the Drawings due to the numeral 116' not appearing in the originally filed Drawings, though being referred to in the originally filed specification. The Examiner additionally objected to the Drawings due to Figs. 7 and 8 appearing to be substantially identical.

A set of proposed corrected drawing sheets is being submitted with this amendment. The set of proposed corrected drawing sheets includes both a red-lined, marked-up copy, and a corresponding replacement copy, for the Examiner's approval. Particularly, in Fig. 5, a floor has been added beneath the seat 12, with a dashed attachment line being further added to show the mounting of the hardware on the floor. As this was clearly described in

the specification and claims, as originally filed, it is not believed that this correction constitutes the addition of new matter.

Additionally, in Fig. 5, element numerals 116' and 116'' have been added, and the misidentification of strap 116 has been corrected. Similarly, the numerals 116' and 116'' have been added to Fig. 6, along with the numeral 158, representing the anchoring hardware. In Fig. 7, the original numerals 10, 28 have been replaced with corrected numerals 110, 128, respectively. Originally filed Fig. 8 has now been deleted from this case and originally filed Figs. 9 and 10 have been correspondingly renamed Figs. 8 and 9. As these changes are only for purposes of clarification and correction of unintentional errors, and are further drawn to elements which were clearly described in the originally filed specification, it is not believed that these drawing corrections constitute the addition of new matter, and, thus, the Examiner's approval of the corrected Drawings is hereby requested.

The Examiner has further objected to the specification due to two particular incidences of typographical informalities. These informalities have now been corrected, via amendments to the specification. Further, the specification has been amended to reflect the above-described changes to the Drawings. No new matter has been inserted.

The Examiner has further objected to the usage of improper antecedent basis in Claim 12. Claim 12 has now been amended to overcome the Examiner's specific objection.

Further, in the recent Office Action, the Examiner rejected Claims 18-20 under 35 U.S.C. §112, second paragraph, as being indefinite. Applicant has now cancelled Claims 18-20 from this case.

In the recent Office Action the Examiner rejected Claim 8 under 35 U.S.C. §103(a) as being unpatentable over Lennox-Lamb in view of Roberts. The Examiner further rejected Claim 9 under 35 U.S.C. §103(a) as being unpatentable over Lennox-Lamb in view

of Roberts as applied to Claim 8 above, and further in view of Jay. The Examiner additionally rejected Claim 11 under 35 U.S.C. §103(a) as being unpatentable over Lennox-Lamb in view of Roberts as applied to Claim 8 above, and further in view of Turvill. The Examiner further rejected Claims 12, 16, 17, 19 and 20 under 35 U.S.C. §103(a) as being unpatentable over Lennox-Lamb in view of Roberts and Susko. Additionally, the Examiner rejected Claim 13 under 35 U.S.C. §103(a) as being unpatentable over Lennox-Lamb in view of Roberts and Susko as applied to Claims 12, 16, 17, 19 and 20 above, and further in view of Jay. The Examiner further rejected Claim 15 under 35 U.S.C. §103(a) as being unpatentable over Lennox-Lamb in view of Roberts and Susko, and further in view of Turvill. The Examiner additionally rejected Claim 18 under 35 U.S.C. §103(a) as being unpatentable over Lennox-Lamb in view of Roberts and Susko, and further in view of Arditi.

Applicant will advance arguments hereinbelow to illustrate the manner in which the presently claimed invention is patentably distinguishable from the cited and applied prior art. Reconsideration of the present application is respectfully requested.

The Lennox-Lamb reference is directed to an adaptor arrangement for lap-belts. As described in the third paragraph of page 4 of the reference, the system is intended for use in "estate cars or hatchbacks". As shown in Fig. 1, connector 34 joins to either shelf 40 or the vehicle floor 37 positioned behind the seat (at 36). Though this arrangement may be applied to seats commonly found in automobiles, such an arrangement cannot be utilized in a school bus.

School buses typically include rows of aligned benches or seats. Because of the continuous arrangement of seats, one in front of the other, there is no such shelf (40 in the Lennox-Lamb reference), nor is there space on the floor behind the seat (junction 36 in the

Lennox-Lamb reference), as another bus seat will be positioned in those locations. The system of the subject patent application is specifically designed to be used in combination with school bus seats, and the Lennox-Lamb reference teaches away from such a usage.

Similarly, the Roberts reference teaches a child auto restraint harness for use in automobiles, which cannot be adapted for usage on a school bus. In Fig. 3, a strap 61 is clearly shown being positioned behind the seat back and being angled upwardly. The strap must terminate somewhere behind the seat back other than on the floor (due to the upward angle thereof) or on the seat itself. Fig. 4 shows an embodiment similar to that shown in the Lennox-Lamb reference; i.e. connected to a shelf behind the seat.

As noted above, the system of the subject Patent Application is designed specifically for usage with a school bus, which includes rows of identical seats. An arrangement such as that shown in either the Lennox-Lamb reference or the Roberts reference could not be utilized, as these references teach connection to points located behind the vehicle seat, which do not exist in a school bus. A restraint system for school bus seats, such as that taught in the subject Patent Application, must connect either under the seat itself, or to the seat itself, as any other location for mounting will interfere with the children in the other seats.

The system of the subject application requires connection to either a region of the vehicle floor positioned beneath the seat, or to a lower portion of the seat back. Such connection points must be utilized in a school bus, as location of the connection or anchoring point elsewhere would interfere with the seat and child located directly behind the aforementioned bus seat.

The Susko reference, the Jay reference, the Turvill reference and the Arditi reference have been cited by the Examiner for teaching various ancillary elements, and are not seen to be relevant to the arguments advanced above. Thus, none of the Lennox-Lamb reference,

the Roberts reference, the Susko reference, the Jay reference, the Turvill reference or the Arditi reference, when taken alone or combination, teach a system adapted for proper usage with a school bus seat.

Thus, neither the Lennox-Lamb reference, the Roberts reference, the Susko reference, the Jay reference, the Turvill reference or the Arditi reference, when taken alone or combination, provide for: "... said anchoring point being located at a position selected from the group consisting of: a floor region positioned beneath said vehicle seat and a lower portion of a seatback of said vehicle seat, wherein said vehicle seat is a school bus seat ...", as is clearly provided by newly-amended Claims 8 and 12.

Therefore, the subject Patent Application is not seen to be made obvious by the Lennox-Lamb reference, the Roberts reference, the Susko reference, the Jay reference, the Turvill reference or the Arditi reference, when taken alone or combination, when Independent Claims 8 and 12 are carefully reviewed.

It is now believed that remaining Claims 9, 11, 13 and 15-17 show patentable distinction over the prior art cited by the Examiner for at least the same reasons as those previously discussed for Independent Claims 8 and 12.

The remaining references cited by the Examiner and further provided by the Applicant but not used in the rejection have been reviewed, but are believed to be further removed when patentable distinctions are taken into account than those cited by the Examiner in the rejection.


The claims in this application have been revised to more particularly define Applicant's unique construction in view of the prior art of record. Reconsideration of the claims in light of the amendments and for the following reasons is respectfully requested.

Application No. 10/799,632
Art Unit 3616

Attorney Docket No. 18538.04
Confirmation No. 8534

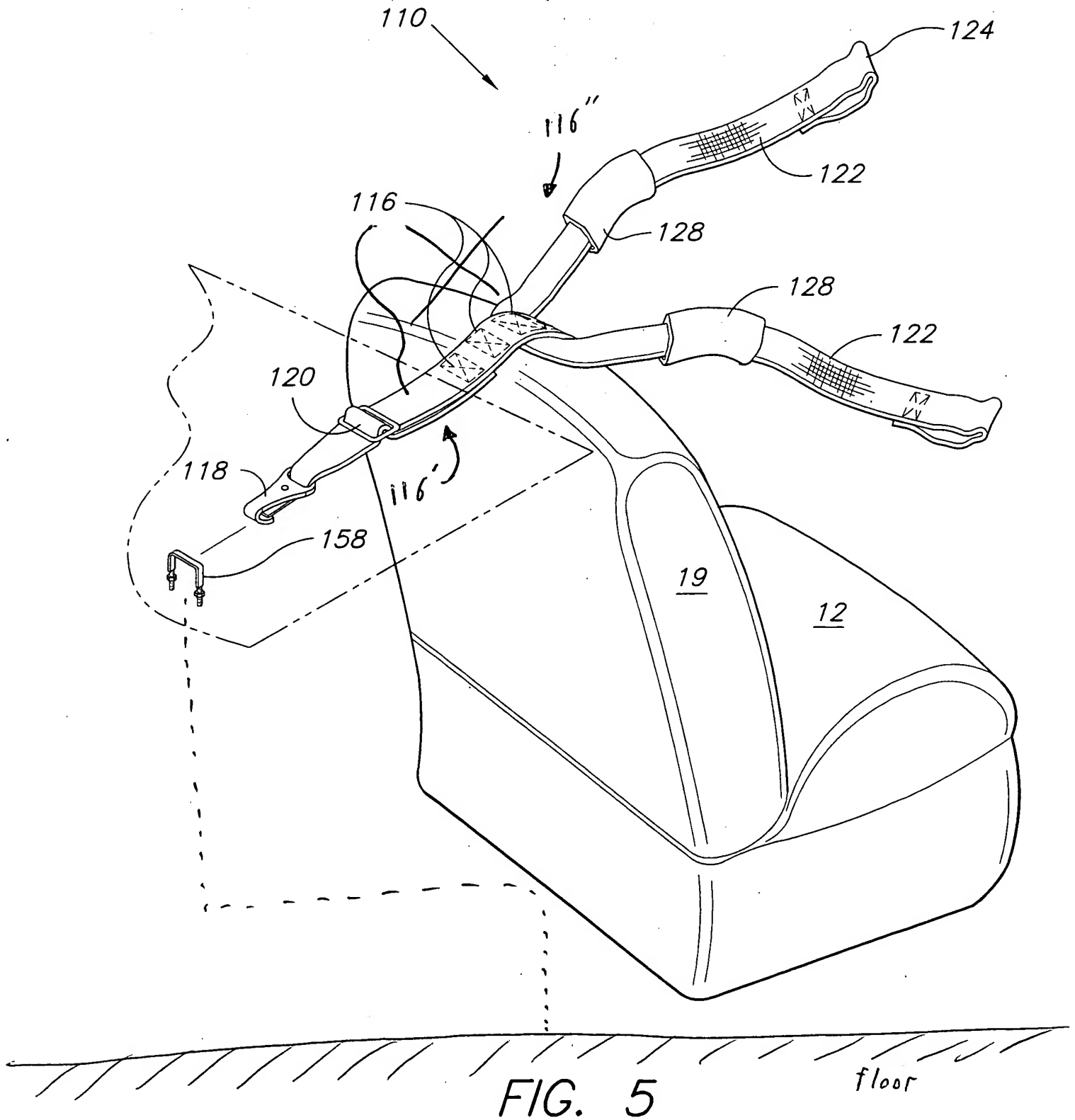
For the foregoing reasons, Applicant respectfully submits that the present application is in condition for allowance. If such is not the case, the Examiner is requested to kindly contact the undersigned in an effort to satisfactorily conclude the prosecution of this application.

Respectfully submitted,


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DHT:mdr

Attachments: Petition for Extension of Time
Check for \$60.00
Replacement Sheets (5)
Annotated Sheets Showing Changes (5)



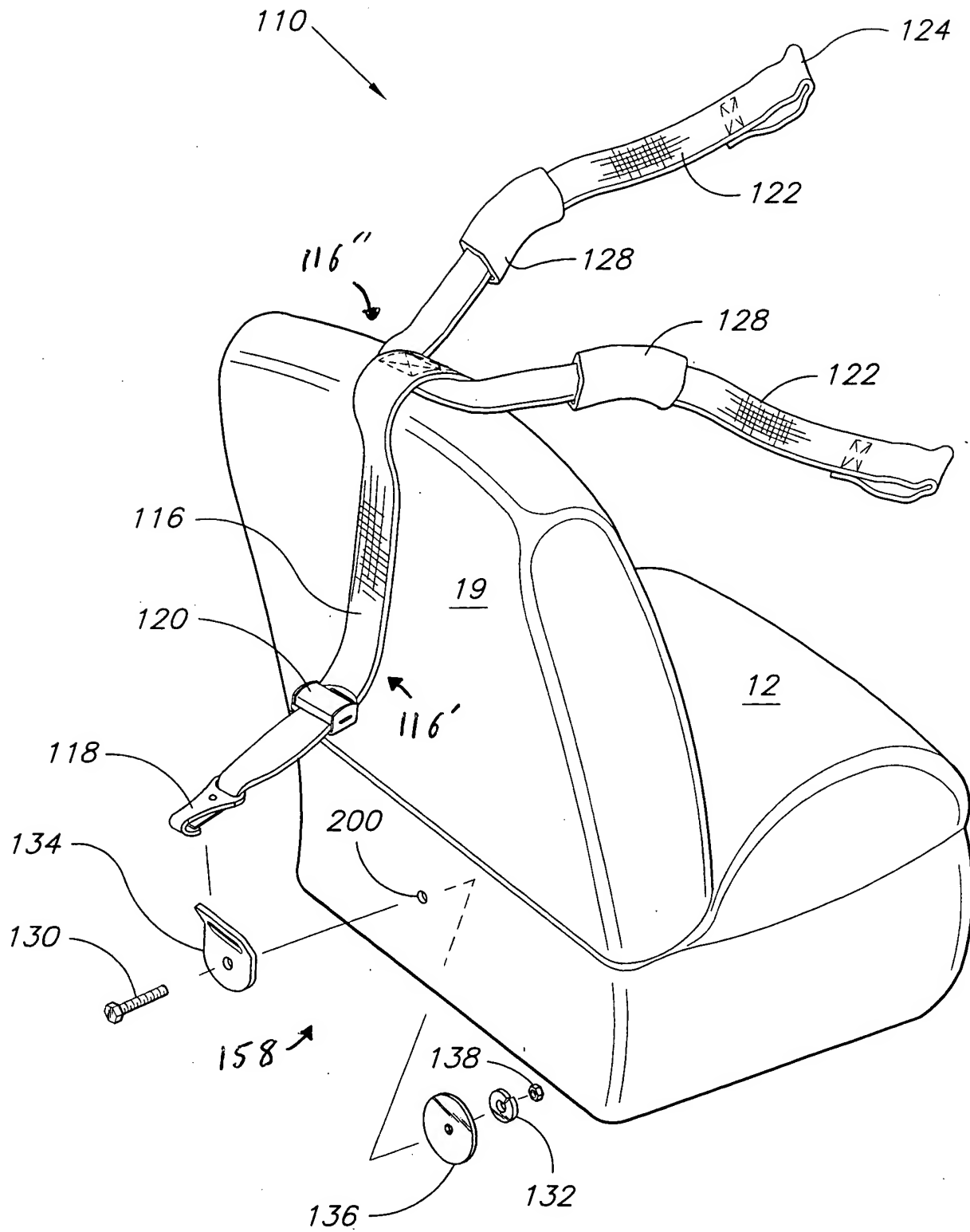
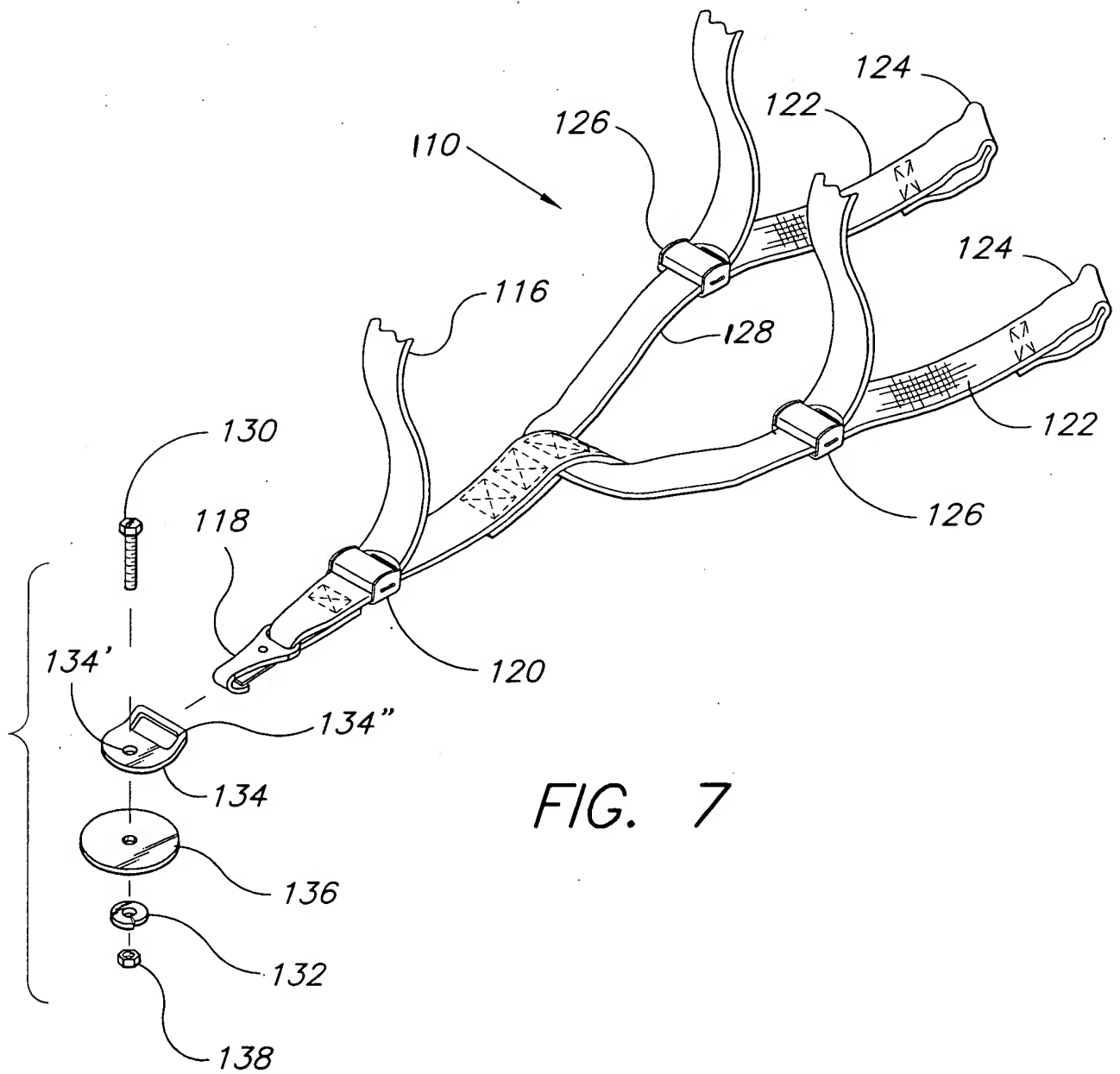


FIG. 6



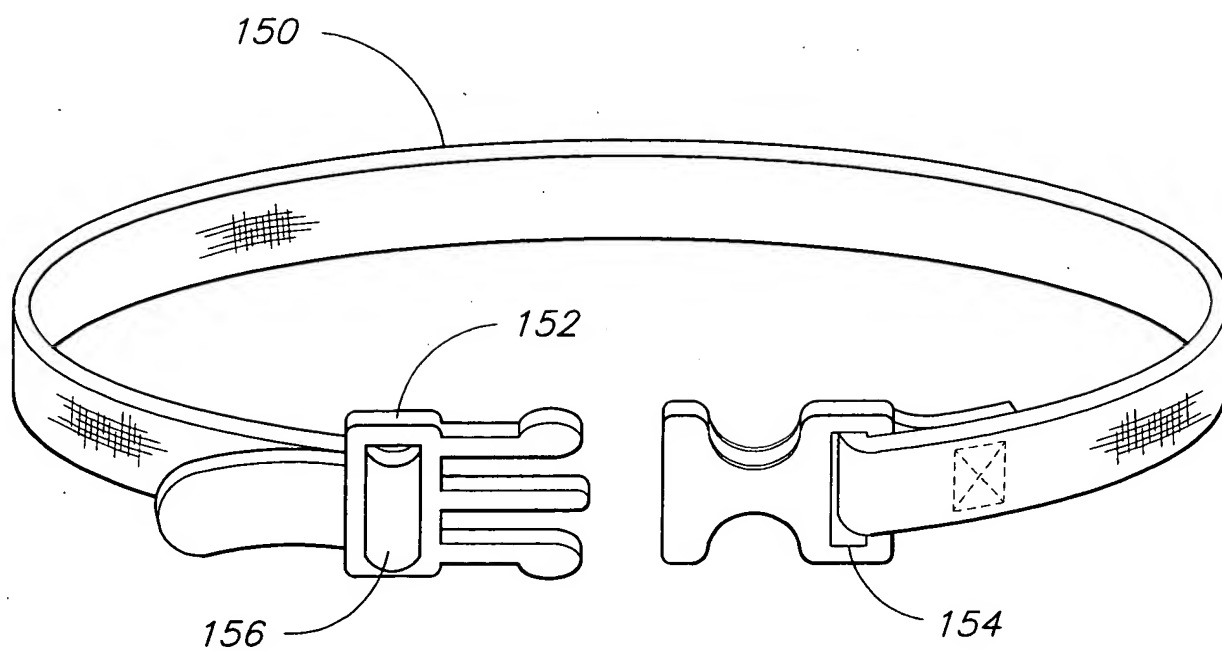


FIG. 8

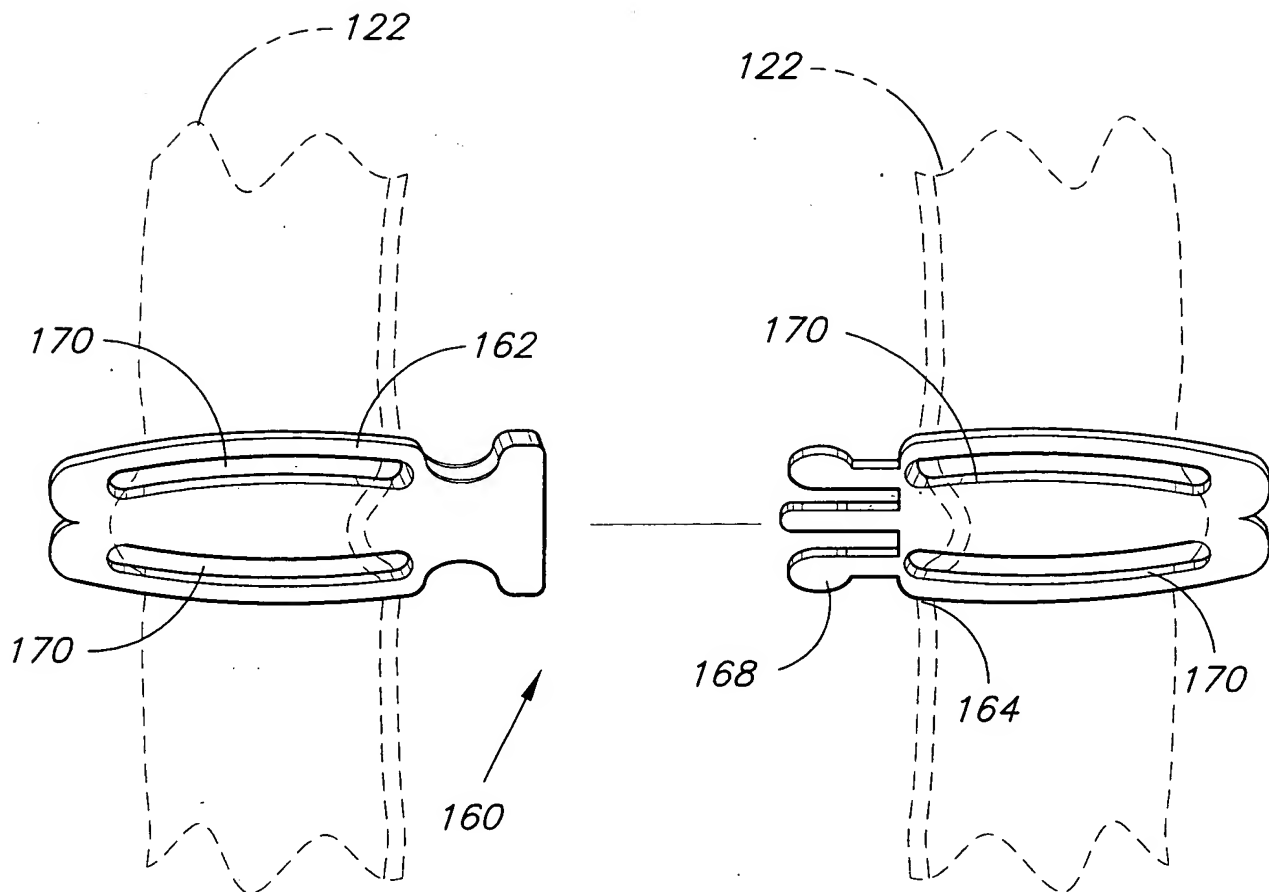


FIG. ~~10~~ 9